

REMARKS

The Office Action dated July 21, 2009, has been received and carefully considered. In this response, the specification and claims 26, 44, and 50 have been amended and claim 36 has been cancelled without prejudice. No new matter has been added. Entry of the amendments to the specification and claims 26, 44, and 50, and the cancellation of claim 36 without prejudice is respectfully requested. Reconsideration of the current objections/rejections in the present application is also respectfully requested based on the following remarks.¹

I. THE EXAMINER INTERVIEW

At the outset, the undersigned thanks the Examiner for the courtesies extended during the interview conducted on October 14, 2009, where the Examiner's discussion of the outstanding Office Action was instructive.

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions made by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., assertions regarding dependent claims, whether a reference constitutes prior art, whether references are legally combinable for obviousness purposes) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future.

II. THE ALLOWANCE/ALLOWABILITY OF CLAIMS 27, 29, 30, 34, 36, 44, 46, 48-50, 52, 54, AND 55

Applicant notes with appreciation the indication on pages 11-13 of the Office Action that claims 44, 46, 48-50, 52, 54, and 55 have been allowed. Applicant notes with equal appreciation the indication that claims 27, 29, 30, 34, and 36 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 26 has been amended in this manner, and thus should now be allowable, as should all dependent claims depending from allowable claim 26. Acknowledgment of same is respectfully requested.

III. OBJECTIONS TO CLAIMS 44, 46, 48-50, 52, 54, AND 55

On pages 2-3 of the Office Action, the Examiner objects to claims 44, 46, 48-50, 52, 54, and 55, as allegedly containing various informalities. Applicants have amended claims 44 and 50 to address the Examiner's concerns. Claims 46, 48, and 49, and claims 52, 54, and 55 depend from independent claims 44 and 50, respectively, and thus inherently incorporate the limitations of claims 44 and 50 for at least that reason. In view of the foregoing amendments, Applicants respectfully request that the aforementioned objections to claims 44, 46, 48-50, 52, 54, and 55 be withdrawn.

IV. THE ANTICIPATION REJECTION OF CLAIMS 26, 28, 31-33, 35, AND 37-43

On pages 4-11 of the Office Action, claims 26, 28, 31-33, 35, and 37-43 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,981,114 to Wu, et al. ("Wu"). This rejection is hereby respectfully traversed. Applicants respectfully submit that the Office Action, on page 11, indicated that dependent claim 36 would be allowable if rewritten in independent form. Applicants have amended independent claim 26 to incorporate the subject matter of allowable claim 36. Applicants therefore respectfully submit that independent claim 26 is allowable, as are all claims depending from allowable claim 26. Accordingly, Applicants respectfully request that the rejection of claims 26, 28, 31-33, 35, and 37-43 under 35 U.S.C. § 102(e) be withdrawn.

V. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the

U.S. Patent Application No.: 10/799,428
Attorney Docket No.: 68865.001007
Client Reference No.: S07-4001-4C

present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

Respectfully submitted,

Hunton & Williams LLP

By: 

Thomas E. Anderson

Registration No. 37,063

TEA:JBB/tmf

Hunton & Williams LLP
1900 K Street, N.W.
Washington, D.C. 20006-1109
Telephone: (202) 955-1500
Facsimile: (202) 778-2201

Date: October 21, 2009